

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA
Plaintiff,

Criminal No. 09-296 (FAB)

v.

CARLOS SIMON TIMMERMAN,
Defendant.

**UNITED STATES OF AMERICA'S NOTICE OF
INTENT TO USE EXPERT WITNESS AT TRIAL**

TO THE HONORABLE COURT:

COMES NOW the United States of America, through its attorneys and very respectfully states, alleges and prays as follows:

Pursuant to Federal Rule of Criminal Procedure 16, the United States hereby informs of its intent to use at trial the expert that follows. In addition to identifying the expert to testify at trial, a summary, bases and reasons of the testimony is provided herein and a copy of his qualifications (or Curriculum Vitae) will be provided to defense counsel prior to trial. The potential expert witness to testify is:

- (1) **Dr. Pedro R. Jaunarena**, Pediatrician, M.D., F.A.A.P.

Summary/Bases/Reasons of Testimony – Based on his numerous years of experience and training in treating children, Dr. Jaunarena will provide expert testimony regarding, but not limited to, the age of the minors depicted in the images in the labels of the DVDs and in the video images found in the DVDs seized in relation to this case. During his testimony he will explain from viewing the images in question the bodily features he considers in making his determination, such as the face of the minor, the breast area, the genital area to include the existence or non-existence of pubic hair, the height of the minor, among other factors to be

considered to establish the approximate age range of the minor depicted and to establish that the relevant images depict minors under the age of eighteen.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 15th day of October, 2009.

ROSA EMILIA RODRIGUEZ VELEZ

United States Attorney

S/ Jenifer Y. Hernandez Vega

Jenifer Y. Hernández Vega- USDC No. 216002

Assistant U.S. Attorney

Torre Chardon, Suite 1201

Hato Rey, P.R. 00918

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to defense counsel of record.

S/ Jenifer Y. Hernandez Vega

Jenifer Y. Hernández Vega

USDC No. 216002

Assistant United States Attorney